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REMARKS

The Examiner's Office Action mailed November 16, 2004, was received and its contents carefully reviewed. Claims 1-4, 6-11, and 13-17 remain pending in the present application. In response to the Office Action, Applicant amended the paragraph in the Specification beginning on page 3, line 19 to correct a minor informality. Applicant amended claims 8 and 15 to correct minor informalities and amended claims 1, 7, 14, 16, and 17 to provide additional details regarding the targeting of activity states, events, and tasks. Support for these amendments may be found throughout the specification and at east on page 12, lines 23-28 and page 16, lines 24-31. As such, Applicant respectfully submits that no new matter was introduced by these amendments. As now recited, claims 1-4, 6-11, and 13-17 are currently pending and are believed to be in condition for allowance. Applicant respectfully requests reconsideration of this application in light of the above amendments and the following remarks.

A. Previous Correspondence

Applicant thanks the Examiner for consideration of the RCE filed on August 20, 2004, and for entry of Applicant's submission of August 20, 2004.

B. Specification

The Examiner objected to the Specification due to informalities on page 3, lines 19-20. By the above amendment to the paragraph in the Specification beginning on page 3, line 15, Applicant corrected the informality using the Examiner's suggestion in order to put the Specification in the proper format. Applicant respectfully requests that the previous objection to the Specification be withdrawn.

C. Claim Objections

Claims 8 and 15 stand objected to due to informalities. By the above amendment to claims 8 and 15, Applicant corrected the informalities using the Examiner's suggestions in order to put the claims in proper format for examination. As such, Applicant respectfully requests that the previous objections to claims 8 and 15 be withdrawn.

D. Claim Rejections under 35 U.S.C. § 103(a)

Claims 1-4, 7-11, and 13-17 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over Barkley U.S. Patent No. 6,088,679 (the '679 patent) in view of Gabbita et al. U.S. Patent No. 6,349,238 (the '238 patent) as indicated beginning on page 6 of the November 16, 2004, Office Action. In view of the amendments provided above and the comments below, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Regarding claim 1, the present invention relates to a method for incorporating human-based activities in business process models. Amended claim 1 recites a method for creating a business process model, the method comprising defining an activity state where the activity state corresponds to a human-based or manual step. Claim 1 further recites identifying a performer for the activity state and designating a task associated with the activity state as reassignable to indicate that the task may be moved between performers of the activity state. Claim 1 also recites designating an additional task associated with the activity state and applying the additional task to the activity state if the additional task is targeted to the activity state. Further, claim 1 recites conditionally transitioning out of the activity state upon completion of the tasks and

collecting reference data associated with the activity state. The targeting ensures that events do not get applied to the wrong state. For example, if the completion event for "review by director" were applied to "review by manager." Please see page 16, starting at line 24 of the present specification.

In contrast, the '679 patent discusses a workflow management system that uses role-based access control (RBAC) to control access (see col. 3, lines 43-45). The '679 patent appears to describe how to use a role as a group of performers of an activity. The '679 patent employs RBAC to sequence a set of operations and uses process definitions to specify workflow (see col. 4, lines 2-5). The RBAC system discussed in the '679 patent forms the basis for enacting workflow and uses an individual's assigned roles to grant permissions and access to a particular job assignment (see col. 4, lines 22-26). Similarly, the '238 patent discloses means to coordinate the tasks and activities related to order processing among various entities within a telecommunications company.

However, neither the '679 patent nor the '238 patent disclose the step of targeting events to specific activity states to ensure that events do not get applied to the wrong state as recited in amended independent claim 1. The '679 patent manages workflow by defining

roles of individuals and groups where access to objects is managed by the organization's structure (see col. 6, lines 23-27). Likewise, the '238 patent details business process models as workflow diagrams and uses Fixed and Round Robin distribution methods to assign work steps to particular resources (see col. 10, lines 30-39).

The '238 patent appears to suggest the computer system that executes the workflow process actively determines the status (e.g., completeness or rejection) of an activity by polling the computer system where the activity runs (see, for example, col. 10, line 66 to col. 11, line 5). Conversely, the business process model of the present invention operates in direct opposition—the computer system where the activity runs notifies or sends the activity completion event to the computer system that executes the workflow process. The benefit of performing the business process in this fashion is that the workflow process does not waste computation cycles in polling status, but handles the activity completion event only when such an activity has actually been completed. As a result, the business process model of the present invention is more efficient and scalable. Neither the '679 patent nor the '238 patent disclose supporting concurrent activity states in this fashion as recited in amended claim 1. Additionally, no disclosure is evident in the '679 patent nor in the '238 patent of identifying an additional task associated with the activity state and applying the additional task to the activity state if the task is targeted to the activity state as also recited in amended claim 1.

As such, Applicant respectfully submits that the cited references, both individually and collectively, fail to disclose all the elements and limitations recited in amended claim 1 of the present application. Further, neither the '679 patent nor the '238 patent provide or suggest a motivation for one of ordinary skill in the art to combine any of the features and limitations of the associated references to arrive at the recited features and limitations of claim 1 of the present invention for identifying an additional task associated with the activity state and applying the additional task to the activity state if the additional task is targeted to the activity state as recited in claim 1. No suggestion or rationale, absent Applicant's teachings, for deviating from the discrete systems and methods of the individual references is evident. In establishing a *prima facie* case of obviousness, it is incumbent upon the Examiner to provide a reason why one of ordinary skill in the art would have been led to modify a reference or to combine references to arrive at the claimed invention. Resort to Applicant's disclosure for such a reason would be impermissible hindsight. The requisite motivation must stem from some teaching, suggestion, or inference in the prior art as a whole or from the knowledge generally available to one of ordinary skill in the art.

For these reasons, no *prima facie* case of obviousness exists under 35 U.S.C. § 103. Applicant respectfully submits that claim 1 is allowable over the cited references and requests that the rejection of claim 1 under 35 U.S.C. § 103 be withdrawn.

Claims 2-4 and 6 depend upon claim 1. Therefore, claims 2-4 and 6 include all the limitations of independent claim 1 while reciting additional features of a method of the present invention. For the reasons cited above with regard to amended independent claim 1, the cited passages of neither the '679 patent nor the '238 patent can be understood as disclosing all the elements and limitations recited in dependent claims 2-4 and 6 of the present application. Applicant respectfully submits that claims 2-4 and 6 are allowable over the cited references and requests that the rejection of claim 2-4 and 6 under 35 U.S.C. § 103 be withdrawn.

With regard to amended independent claim 7, the present invention relates to a method for incorporating human-based activities in business process models. Amended claim 7 recites a method for providing a business process management system where the method comprises receiving an event and causing a business process object to transition to an activity state corresponding to the event, where the activity state includes a data structure that comprises business process object reference data. Claim 7 further recites the steps of identifying one or more performers for the activity state and creating a task for each performer, the task designated as reassignable to indicate that the task may be transferred between performers of the activity state and the task further designated with a time limit indicating a deadline for completion of the task. Claim 7 also recites the steps of applying the task to the activity state if the task is targeted to the activity state; completing the task, where any changes made to the business process reference data during completion of the task are collected; and updating the business process object reference data to incorporate any changes that were made during execution of the activity state.

As outlined above with regard to claim 1, the '679 patent, in contrast, discusses a workflow management system that uses role-based access control (RBAC) to control access (see col. 3, lines 43-45). Further, the '679 patent employs RBAC to sequence a set of operations and uses process definitions to specify workflow (see col. 4, lines 2-5). The RBAC system discussed in the '679 patent forms the basis for enacting workflow and uses an individual's assigned roles to grant permissions and access to a particular job assignment (see col. 4, lines 22-26). Similarly, the '238 patent discloses means to coordinate the tasks and

activities related to order processing among various entities within a telecommunications company.

However, neither the '679 patent nor the '238 patent disclose the step of applying the task to the activity state if the task is targeted to the activity state to ensure that events do not get applied to the wrong state as recited in amended independent claim 7.

Neither the '679 patent nor the '238 patent disclose the step of identifying an additional task associated with the activity state and applying the task to the activity state if the task is targeted to the activity state to ensure that events do not get applied to the wrong state as recited in amended claim 7.

The '679 patent manages workflow by defining roles of individuals and groups where access to objects is managed by the organization's structure (see col. 6, lines 23-27). Likewise, the '238 patent details business process models as workflow diagrams and uses Fixed and Round Robin distribution methods to assign work steps to particular resources (see col. 10, lines 30-39). No disclosure is evident of applying the task to the activity state if the task is targeted to the activity state as recited in claim 7.

Applicant respectfully submits that the cited references, both individually and collectively, fail to disclose all the elements and limitations recited in amended claim 7 of the present application. Further, neither the '679 patent nor the '238 patent provide or suggest a motivation for one of ordinary skill in the art to combine any of the features and limitations of the associated references to arrive at the recited features and limitations of claim 7 of the present invention for applying the task to the activity state if the task is targeted to the activity state as recited in claim 7. No suggestion or rationale, absent Applicant's teachings, for deviating from the discrete systems and methods of the individual references is evident. In establishing a *prima facie* case of obviousness, it is incumbent upon the Examiner to provide a reason why one of ordinary skill in the art would have been led to modify a reference or to combine references to arrive at the claimed invention. Resort to Applicant's disclosure for such a reason would be impermissible hindsight. The requisite motivation must stem from some teaching, suggestion, or inference in the prior art as a whole or from the knowledge generally available to one of ordinary skill in the art.

For these reasons, no *prima facie* case of obviousness exists under 35 U.S.C. § 103. Applicant respectfully submits that claim 7 is allowable over the cited references and requests that the rejection of claim 7 under 35 U.S.C. § 103 be withdrawn.

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Claims 8-11 and 13-15 depend upon claim 7. Therefore, claims 8-11 and 13-15 include all the limitations of independent claim 7 while reciting additional features of a method of the present invention. For the reasons cited above with regard to amended independent claim 7, the cited passages of the '679 patent and those of the '238 patent cannot be understood as disclosing all the elements and limitations recited in dependent claims 8-11 and 13-15 of the present application. Applicant respectfully submits that claims 8-11 and 13-15 are allowable over the cited references and requests that the rejection of claim 8-11 and 13-15 under 35 U.S.C. § 103 be withdrawn.

Amended independent claims 16 and 17 recite features similar to the step of targeting events to specific activity states to ensure that events do not get applied to the wrong state as recited in amended independent claim 1 and claim 7. Amended claim 16 includes the additional feature where the targeting of the additional activity comprises at least one of naming a corresponding concurrent activity state and specifying an activity parameter. Neither the '679 patent nor the '238 patent disclose this additional feature. As such, Applicant respectfully submits that amended claims 16 and 17 as now presented are allowable over the cited references and requests that the rejection of claims 16 and 17 under 35 U.S.C. § 103 be withdrawn.

E. Conclusion

In summary, the cited references fail to teach or suggest the claimed subject matter as now recited. Applicant respectfully submits that the application is in condition for allowance and favorable action is solicited. If the Examiner feels that there are still outstanding issues in this case, the Examiner is encouraged to contact the undersigned to discuss the same.

Respectfully submitted,

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